

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

John P. Calhoun,

Case No. 3:10 CV 1091

Plaintiff,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Mr. Phillips, et al.,

Defendants.

The Court has reviewed the Report and Recommendation (“R&R”) of Magistrate Judge Vernelis Armstrong (Doc. No. 20). Under the relevant statute (28 U.S.C. § 636(b)(1)):

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections constitutes a waiver of a *de novo* determination by the district court of an issue covered in the R&R. *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005).

This Court adopts the R&R (Doc. No. 20) in its entirety.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U. S. DISTRICT JUDGE

May 5, 2011